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Pierce Preserves Appeal Win Before SCOTUS

Russell Pierce, Jr. recently preserved an appellate ruling in our clients' favor in response to a petition for writ of *certiorari* filed in the Supreme Court of the United States.

In March 2025, Joe Mavodones and Devin Deane prevailed in the Law Court in *Hogan v. Lincoln Medical Partners, et al.,* 2025 ME 22, 331 A.3d 463, which affirmed the trial court's dismissal of various tort claims asserted against medical providers arising out of the alleged administration of a vaccine.

The Law Court's holding was the first time that the Court had addressed the Public Readiness and Emergency Preparedness (PREP) Act, a federal statute that provides broad immunity from tort liability to licensed health professionals, among others, for physical or mental injuries that are alleged to have been caused by the administration of a vaccine during a public health emergency declared by the Secretary of the U.S. Department of Health and Human Services.

Following the Law Court's decision, the plaintiffs filed a petition for writ of *certiorari* in June 2025, asking the Supreme Court of the United States to review the Law Court's decision and reverse its application of the federal PREP Act. Russell Pierce, Jr. defended the Law Court's application of the PREP Act before the Supreme Court and argued against granting the petition, including through submission of a brief in opposition to the plaintiffs' petition.

After briefing was completed, the Supreme Court summarily denied the petition for writ of *certiorari* on November 10, 2025. The Supreme Court's ruling preserved the Law Court's decision in *Hogan* and its application of the PREP Act to similar, future claims that may arise in Maine.

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